

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.**

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Federal Communication Commission
Bureau / Office

In re:

Amendment of Section 73.202(b)
FM Table of Allotments

MM Docket No.

Keosauqua, Iowa

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NOV 24 2003

Federal Communications Commission
Office of the Secretary

To: Media Bureau,
Audio Division

PETITION FOR RULEMAKING

The University of Iowa ("University"), by its counsel and pursuant to Section 1.420 of the FCC Rules and the FCC's Public Notice in DA 03-2990 (released September 30, 2003), which announced a filing window for noncommercial reservation showings for vacant FM allotments, hereby requests that the Commission reserve for noncommercial educational use the vacant FM allotment on Channel 271C3 in Keosauqua, Iowa. Reserving the allotment would serve the public interest by providing the community of Keosauqua and surrounding areas with significant first and second local noncommercial educational service. The University commits to apply for Channel 271C3, if allotted and reserved for noncommercial use.

Background

The University is a public institution of higher education in the state of Iowa. Founded on February 25, 1847, the University was the state's first public institution of higher learning. In furtherance of its educational mandate, the University is the licensee of public radio stations KSUI(FM) and WSUI(AM) in Iowa City, Iowa, and FM translator station K269EK in the

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Dubuque, Iowa area. The University now hopes to further expand its noncommercial educational radio service by reserving for noncommercial educational use the vacant Channel 271C3 allotment in Keosauqua, Iowa.

In support of this petition, the University submits the following:

The Reservation of Channel *271C3 at Keosauqua, Iowa Satisfies Technical and Regulatory Requirements

This proposal complies with the two criteria for NCE reservation set forth in the Second Report and Order, 18 FCC Rcd 6691 (2003). First, as detailed in the attached Engineering Statement of Carl E. Smith Consulting Engineers, reservation of Channel 271C3 for noncommercial educational use would provide first or second noncommercial educational radio service to over 10% of the population within the allotted channel's service area. In fact, reservation of this allotment would provide a first or second noncommercial educational FM service to 39,463 persons, or 95.9 percent of the population within the predicted 60 dbu service contour. *See* Engineering Statement, Sections 1.0 and 2.0. As detailed in Table 2.0, the reservation would provide a first noncommercial educational radio service to 13,828 persons (33.6 percent of the population within the 60 dBu contour), and a second noncommercial educational radio service to 25,635 persons (62.3 percent of the population within the 60 dbu service contour).

Second, as also detailed in the attached Engineering Statement, use of reserved band Channels 201-220 for equivalent noncommercial service to the area is technically precluded. As the Engineering Statement demonstrates on a channel by channel basis, there is no reserved band noncommercial educational channel available to be used. *See* Engineering Statement, Section 3.0.

Reservation Would Provide the Keosauqua Area with a Valuable Source of Noncommercial Educational Programming

The reservation of Channel 271C3 for noncommercial use would provide a substantial portion of the service area – over 95 percent – with either a first or second noncommercial educational radio service. Moreover, as demonstrated above, the reservation of the allotment in Keosauqua would reduce noncommercial educational radio white area, in furtherance of the Congressional mandate in Section 396 of the Communications Act.¹

The Commission recognizes the value of local programming, especially in noncommercial, educational broadcasting. *See, e.g., Educational TV Assignment at Terre Haute, Indiana*, 19 RR 2d 1850, 1853 (1970) (“We have repeatedly announced our policy to forward local programming in the broadcast services. Local programming is essential particularly in the field of education in that local programming can most effectively deal with the specific problems, needs, and interests in the community being served.”)

Conclusion

For all of these reasons, the University requests that the Commission institute a rulemaking proceeding to amend Section 73.202(b) of its Rules to reserve Channel 271C3 at Keosauqua, Iowa for noncommercial educational use.

¹ “It is in the public interest for the Federal Government to ensure that all citizens of the United States have access to public telecommunications services through all appropriate available telecommunications distribution technologies.” 47 U.S.C. § 396(a)(9).

Respectfully submitted,

UNIVERSITY OF IOWA

By: Barry Persh
Todd D. Gray
Margaret L. Miller
Barry S. Persh
Attorneys for Petitioner

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November 21, 2003

EXHIBIT A



UNIVERSITY RELATIONS

101 Jessup Hall
Iowa City, Iowa 52242-1316
319-335-0552
319-335-0807 fax

Declaration

I, Steven R. Parrott, hereby declare under penalty of perjury that the University of Iowa intends to apply for and prosecute an application for FM channel 271C3 in Keosauqua, Iowa, if the channel is reserved for noncommercial educational use. The statements set forth in this Petition are true and correct to the best of my knowledge and belief.

UNIVERSITY OF IOWA

By: Steven R. Parrott

Title: Director of University Relations

Date: 11/19/03

EXHIBIT B

ENGINEERING STATEMENT IN
SUPPORT OF PETITION
FOR RULEMAKING
(NONCOMMERCIAL RESERVATION REQUEST)
CHANNEL 271C3 - KEOSAUQUA, IA

The University of Iowa
Keosauqua, IA

November 21, 2003

Prepared For: Mr. Jim Davies
The University of Iowa
710 South Clinton Street Building
Iowa City, IA 52242

CARL E. SMITH CONSULTING ENGINEERS

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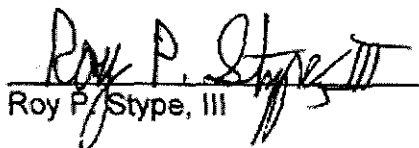
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ENGINEERING AFFIDAVIT

State of Ohio)
) ss:
County of Summit)

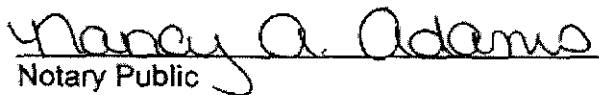
Roy P. Stype, III, being duly sworn, deposes and states that he is a graduate Electrical Engineer, a qualified and experienced Communications Consulting Engineer whose works are a matter of record with the Federal Communications Commission and that he is a member of the Firm of "Carl E. Smith Consulting Engineers" located at 2324 North Cleveland-Massillon Road in the Township of Bath, County of Summit, State of Ohio, and that the Firm has been retained by The University of Iowa to prepare the attached "Engineering Statement In Support of Petition For Rulemaking (Noncommercial Reservation Request) - Channel 271C3 - Keosauqua, IA."

The deponent states that the Exhibit was prepared by him or under his direction and is true of his own knowledge, except as to statements made on information and belief and as to such statements, he believes them to be true.



Roy P. Stype, III

Subscribed and sworn to before me on **November 21, 2003.**



Notary Public

/SEAL/

NANCY A. ADAMS, Notary Public
Residence - Cuyahoga County
State Wide Jurisdiction, Ohio
My Commission Expires Sept. 5, 2005

CARL E. SMITH CONSULTING ENGINEERS

ENGINEERING AFFIDAVIT

State of Ohio)
) ss:
County of Summit)

Ronald W. Coffman, being duly sworn, deposes and states that he is a qualified and experienced Communications Consulting Engineer whose works are a matter of record with the Federal Communications Commission and that he is a member of the Firm of "Carl E. Smith Consulting Engineers" located at 2324 North Cleveland-Massillon Road in the Township of Bath, County of Summit, State of Ohio, and that the Firm has been retained by The University of Iowa to prepare the attached "Engineering Statement In Support of Petition For Rulemaking (Noncommercial Reservation Request) - Channel 271C3 - Keosauqua, IA."

The deponent states that the Exhibit was prepared by him or under his direction and is true of his own knowledge, except as to statements made on information and belief and as to such statements, he believes them to be true.



Ronald W. Coffman

Subscribed and sworn to before me on **November 21, 2003**.



Notary Public

/SEAL/

NANCY A. ADAMS, Notary Public
Residence - Cuyahoga County
State Wide Jurisdiction, Ohio
My Commission Expires Sept. 5, 2006

ENGINEERING STATEMENT

1.0 GENERAL

This engineering statement is prepared on behalf of The University of Iowa in support of a request to reserve the presently vacant allotment on Channel 271C3 in Keosauqua, Iowa for noncommercial educational ("NCE") use. It documents that this channel reservation request complies with the criteria outlined in the *Second Report and Order* in MM Docket 95-31 and the FCC's Public Notice of September 30, 2003, permitting the reservation of Channel 271C3 in Keosauqua for NCE use.

Channel 271C3 was allotted to Keosauqua, Iowa in MM Docket 99-309. The geographic reference coordinates for this allotment are:

NL - 40° 43' 48"
WL - 91° 57' 48"

The *Notice of Proposed Rulemaking* in this proceeding was issued on October 15, 1999, which is prior to the August 7, 2000 effective date of the relaxed NCE reservation criteria adopted in the *Second Report and Order* in MM Docket 95-31. Furthermore, since a window has never been opened to permit the filing of construction permit applications for this allotment, it is obvious that there are no such applications presently pending for this allotment. Thus, this allotment meets the eligibility criteria for such a reservation request and was properly included in Attachment A to the FCC's September 30, 2003 Public Notice.

Section 2.0 of this engineering statement documents that the reservation of Channel 271C3 in Keosauqua for NCE use would provide a first or second NCE service to 39,463 persons, or 95.9% of the population within the predicted 60 dBu contour for this allotment. Thus, this proposed reservation request complies with the requirement that,

in order to be eligible for reservation, the allotment must provide a first or second NCE service to at least 10% of the population within its 60 dBu contour.

Section 3.0 of this engineering statement details the results of preclusion studies which were conducted to evaluate the availability of reserved band channels for use in Keosauqua in lieu of reserving this existing allotment for NCE use. These studies, which were conducted utilizing the procedures outlined in Paragraph 35 of the *Second Report and Order* in MM Docket 95-31, clearly document that there are no Class C3 channels in the reserved band available for use in Keosauqua. Thus, this reservation request also complies with the requirement that no same class reserved band channel be available for use in the same community in order to reserve an allotment in the nonreserved band for NCE use.

Based on the above information, it is obvious that this proposal to reserve the present allotment on Channel 271C3 in Keosauqua, Iowa for noncommercial educational use fully satisfies all of the necessary criteria to permit such a reservation, permitting this allotment to be reserved solely for use by noncommercial educational FM stations.

2.0 NEW FIRST AND SECOND NCE AURAL SERVICE

Figure 2.0 is a map exhibit depicting the predicted 60 dBu contour for Channel 271C3 in Keosauqua, as well as the predicted 60 dBu contours for all authorized NCE-FM stations who provide 60 dBu service to any portion of the proposed 60 dBu service area. The other stations depicted in this map exhibit include only NCE-FM stations operating in the reserved band and NCE-FM stations operating in the non-reserved band which occupy allotments reserved for NCE-FM use. Pursuant to the policy outlined in Paragraph 43 of the February 28, 2001 *Memorandum Opinion and Order* in MM Docket 95-31, AM stations which operate noncommercially and NCE-FM stations operating in the non-reserved band which occupy allotments which are not reserved for noncommercial use were excluded from these studies, as were Class D NCE-FM stations, FM translators, and LPFM stations. Pursuant to FCC policy at the allotment stage, the proposed contour was projected assuming operation from the allotment reference coordinates with maximum Class C3 facilities and was based on an assumption of uniform terrain. The contours for the other stations depicted in this map exhibit are based on the notified facilities for each station, as extracted from the FCC's Consolidated Database System, and were projected utilizing the methodology outlined in Section 73.313 of the FCC Rules and terrain data extracted from the NGDC 30 second terrain database.

As shown in this map exhibit, the reservation of Channel 271C3 in Keosauqua for noncommercial educational use would provide either a first or second NCE aural service to a significant portion of the proposed 60 dBu service area. Color coding has been employed to depict the portions of this proposed service area which would receive either a new first or second NCE aural service from the proposed facilities.

Table 2.0 presents a tabulation of the population which would receive a new first or second NCE aural service, as well as the aggregated total of first and second NCE aural service, from the reservation of this allotment, both in terms of total population and as a percentage of the population within the proposed 60 dBu service area. These population values were determined using census block data from the 2000 U. S. Census and the centroid method. This method uses proprietary computer software to determine if the geographic coordinates specified by the Census Bureau for a census block are located within a portion of the proposed service area to which a first or second NCE aural service would be provided. The entire population of any census block whose specified (or "centroid") coordinates are found to be within the area being evaluated are then attributed to this area. The computer software then sums the population data for all census blocks attributed to the area being evaluated to determine the total population associated with that area. As shown in this table, the reservation of Channel 271C3 in Keosauqua for noncommercial educational use would provide either a first or second NCE service to 39,463 persons, or 95.9% of the population within the 60 dBu contour for this allotment.

TABLE 2.0

POPULATION WHICH WOULD RECEIVE
NEW FIRST OR SECOND NCE AURAL SERVICE
(CHANNEL 271C3 - KEOSAUQUA, IA)

The University of Iowa
Keosauqua, IA

Population (2000 Census)

Proposed 60 dBu Service Area	41,142
New 1 st NCE Aural Service	13,828
New 2 nd NCE Aural Service	25,635
Aggregate 1 st and 2 nd Service	39,463

Percent of 60 dBu Service Area

New 1 st NCE Aural Service	33.6%
New 2 nd NCE Aural Service	62.3%
Aggregate 1 st and 2 nd Service	95.9%

3.0 AVAILABILITY OF EQUIVALENT RESERVED BAND CHANNELS

Detailed studies were conducted to evaluate the availability of Class C3 channels in the reserved band (Channels 201 through 220) in Keosauqua which could be utilized in lieu of reserving Channel 271C3 for noncommercial educational use. These studies were conducted utilizing the procedures outlined in Paragraph 35 of the April 10, 2003 *Second Report and Order* in MM Docket 95-31. Specifically, they evaluated the feasibility of proposing a station operating nondirectionally with minimum Class C3 facilities (6 kilowatts at 100 meters above average terrain) from the community reference coordinates for Keosauqua, as well as the feasibility of proposing stations operating nondirectionally with maximum Class C3 facilities at locations 38 kilometers¹ north, east, south, and west of the Keosauqua community reference coordinates.

In conducting these studies, the reserved band protection criteria outlined in Section 73.509 of the FCC Rules were employed for each of the twenty reserved channels to determine if the assumed operating facilities described above would provide the required protection to all domestic reserved band facilities requiring protection consideration.² A channel was considered to be unavailable for use from the site being examined if, based on the assumed nondirectional operating facilities outlined above, it

¹As required by Paragraph 35 of the *Second Report and Order* in MM Docket 95-31, this is one kilometer less than the distance to the predicted 60 dBu contour for a maximum Class C3 facility, as specified in Section 73.211(b) of the FCC Rules.

²Pursuant to Footnote 4 to the FCC's Public Notice of September 30, 2003 announcing a window for the submission of this sort of reservation requests, these studies did not examine the preclusion of reserved band channels by foreign stations or the protection requirements to analog TV stations operating on Channel 6, since it was possible to employ these criteria to reserve a nonreserved band channel prior to the effective date of the modifications made in the *Second Report and Order* in MM Docket 95-31.

failed to comply with these protection requirements to any other facility requiring protection consideration.³

The results of these studies are summarized in Tables 3.0 through 3.4. As shown in Table 3.0, there are no reserved band channels available which will permit non-directional operation with minimum Class C3 facilities from the Keosauqua community reference coordinates. Furthermore, as shown in Tables 3.1 through 3.4, there are no reserved band channels available which will permit nondirectional operation with maximum Class C3 facilities from the other four assumed sites which were evaluated. Based on this information, it is obvious that none of the twenty reserved band channels are available for Class C3 use in Keosauqua.

³Reserved band facilities requiring protection consideration include not only authorized stations, but also pending applications which are no longer subject to the filing of conflicting applications.

TABLE 3.0

NCE-FM FREQUENCY SEARCH
(CITY REFERENCE COORDINATES)

The University of Iowa
Keosauqua, IA

<u>Channel</u>	<u>Frequency (MHz)</u>	<u>Use Precluded by:</u>		<u>Channel</u>
		<u>Call</u>	<u>Location</u>	
201	88.1	New(App) ¹	Fairfield, IA	201A
		New(App) ²	Fairfield, IA	201A
202	88.3	New(App) ³	Ottumwa, IA	202A
		New(App) ⁴	Ottumwa, IA	202A
		WGCA-FM	Quincy, IL	203B
203	88.5	WGCA-FM	Quincy, IL	203B
204	88.7	WGCA-FM	Quincy, IL	203B
		KEWM(CP)	Williamsburg, IA	204A
		KLDI(CP)	Wapello, IA	205C2
205	88.9	KLDI(CP)	Wapello, IA	205C2
		New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
206	89.1	KLDI(CP)	Wapello, IA	205C2
		New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
207	89.3	New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
		WDLN-FM	East Moline, IL	207C1
		WIPA	Pittsfield, IL	207B
		WIUW	Warsaw, IL	208B1
208	89.5	WIUW	Warsaw, IL	208B1
209	89.7	WIUW	Warsaw, IL	208B1
		New(App) ⁵	Ottumwa, IA	209A
		KAYP	Burlington, IA	210C3
210	89.9	KAYP	Burlington, IA	210C3
211	90.1	KAYP	Burlington, IA	210C3
		WOI-FM	Ames, IA	211C
		WQUB	Quincy, IL	212B

TABLE 3.0 (cont'd)

<u>Channel</u>	<u>Frequency (MHz)</u>	<u>Use Precluded by:</u>		<u>Channel</u>
		<u>Call</u>	<u>Location</u>	
212	90.3	WQUB	Quincy, IL	212B
		WVIK	Rock island, IL	212C1
		KHOE	Fairfield, IA	213A
213	90.5	WQUB	Quincy, IL	212B
		KHOE	Fairfield, IA	213A
		KHGN	Kirksville, MO	214C2
214	90.7	KHOE	Fairfield, IA	213A
		KHGN	Kirksville, MO	214C2
215	90.9	KHGN	Kirksville, MO	214C2
		KUNI	Cedar Falls, IA	215C
		KMDY	Keokuk, IA	215A
		New(App) ⁸	Ottumwa, IA	216A
		New(App) ⁹	Ottumwa, IA	216A
216	91.1	New(App) ⁸	Ottumwa, IA	216A
		New(App) ⁹	Ottumwa, IA	216A
217	91.3	New(App) ⁸	Ottumwa, IA	216A
		New(App) ⁹	Ottumwa, IA	216A
		WIUM	Macomb, IL	217B
218	91.5	New(App) ¹⁰	Kirksville, MO	218A
		KSUI	Iowa City, IA	219C
219	91.7	KSUI	Iowa City, IA	219C
		KJIR(CP)	Hannibal, MO	219C2
220	91.9	KSUI	Iowa City, IA	219C
		New(App) ¹¹	Kirksville, MO	220A

Notes:

1 - This application (BPED-19961010MC) had an "A" cut-off date of March 27, 1997 and was included in MX Group 961011. Thus, it is protected from the filing of further conflicting applications.

2 - This application (BPED-19970321MB) was timely filed in response to the "A" cut-off notice for BPED-19961010MC and was included in MX Group 961011. Thus, it is protected from the filing of further conflicting applications.

TABLE 3.0 (cont'd)

3 - This application (BPED-19970108MI) had an "A" cut-off date of August 7, 1997 and was included in MX Group 970111. Thus, it is protected from the filing of further conflicting applications.

4 - This application (BPED-19970321MA) was timely filed in response to the "A" cut-off notice for BPED-19970108MI and was included in MX Group 970111. Thus, it is protected from the filing of further conflicting applications.

5 - This application (BPED-19941209MB) had an "A" cut-off date of May 24, 1995 and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

6 - This application (BPED-19950515ML) was timely filed in response to the "A" cut-off notice for BPED-19941209MB and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

7 - This application (BPED-19950213MB) was timely filed in response to the "A" cut-off notice for BPED-19941209MB and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

8 - This application (BPED-19960312MA) had an "A" cut-off date of August 22, 1996 and was included in MX Group 960315. Thus, it is protected from the filing of further conflicting applications.

9 - This application (BPED-19960820MC) was timely filed in response to the "A" cut-off notice for BPED-19960312MA and was included in MX Group 960315. Thus, it is protected from the filing of further conflicting applications.

10 - This application (BPED-19970113MB) had an "A" cut-off date of August 7, 1997 and was included in MX Group 970113. Thus, it is protected from the filing of further conflicting applications.

11 - This application (BPED-19970806MA) was timely filed in response to the "A" cut-off notice for BPED-19970113MB and was included in MX Group 970113. Thus, it is protected from the filing of further conflicting applications.

Studies assume operation with minimum Class C3 facilities from the Keosauqua community reference coordinates:

NL - 40° 43' 49"

WL - 91° 57' 43"

TABLE 3.1

NCE-FM FREQUENCY SEARCH
(NORTH SITE)

The University of Iowa
Keosauqua, IA

<u>Channel</u>	<u>Frequency (MHz)</u>	<u>Use Precluded by:</u>		<u>Channel</u>
		<u>Call</u>	<u>Location</u>	
201	88.1	New(App) ¹	Fairfield, IA	201A
		New(App) ²	Fairfield, IA	201A
202	88.3	New(App) ¹	Fairfield, IA	201A
		New(App) ²	Fairfield, IA	201A
		New(App) ³	Ottumwa, IA	202A
		New(App) ⁴	Ottumwa, IA	202A
203	88.5	New(App) ¹	Fairfield, IA	201A
		New(App) ²	Fairfield, IA	201A
		WGCA-FM	Quincy, IL	203B
		KEWM(CP)	Williamsburg, IA	204A
		New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
204	88.7	New(App) ¹	Fairfield, IA	201A
		New(App) ²	Fairfield, IA	201A
		KEWM(CP)	Williamsburg, IA	204A
		KLDI(CP)	Wapello, IA	205C2
		New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
205	88.9	KEWM(CP)	Williamsburg, IA	204A
		KLDI(CP)	Wapello, IA	205C2
		New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
206	89.1	KLDI(CP)	Wapello, IA	205C2
		New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
207	89.3	New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
		WDLM-FM	East Moline, IL	207C1
		WIUW	Warsaw, IL	208B1

TABLE 3.1 (cont'd)

Channel	Frequency (MHz)	Use Precluded by:		Channel
		Call	Location	
208	89.5	New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
		WIUW	Warsaw, IL	208B1
		New(App) ¹¹	Oskaloosa, IA	208A
		New(App) ¹²	Oskaloosa, IA	208A
209	89.7	New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
		WIUW	Warsaw, IL	208B1
		New(App) ⁵	Ottumwa, IA	209A
		KAYP	Burlington, IA	210C3
210	89.9	KAYP	Burlington, IA	210C3
		WOI-FM	Ames, IA	211C
211	90.1	KAYP	Burlington, IA	210C3
		WOI-FM	Ames, IA	211C
212	90.3	WOI-FM	Ames, IA	211C
		WQUB	Quincy, IL	212B
		WVIK	Rock island, IL	212C1
		KHOE	Fairfield, IA	213A
213	90.5	KHOE	Fairfield, IA	213A
		KHGN	Kirksville, MO	214C2
214	90.7	KHOE	Fairfield, IA	213A
		KHGN	Kirksville, MO	214C2
		KUNI	Cedar Falls, IA	215C
215	90.9	KHGN	Kirksville, MO	214C2
		KUNI	Cedar Falls, IA	215C
		KMDY	Keokuk, IA	215A
		New(App) ⁸	Ottumwa, IA	216A
		New(App) ⁹	Ottumwa, IA	216A
216	91.1	KUNI	Cedar Falls, IA	215C
		New(App) ⁸	Ottumwa, IA	216A
		New(App) ⁹	Ottumwa, IA	216A
		New(App) ¹³	Kewanee, IL	216B
217	91.3	New(App) ⁸	Ottumwa, IA	216A
		New(App) ⁹	Ottumwa, IA	216A
		WIUM	Macomb, IL	217B
		KDFR	Des Moines, IA	217C2

TABLE 3.1 (cont'd)

<u>Channel</u>	<u>Frequency (MHz)</u>	<u>Use Precluded by:</u>		
		<u>Call</u>	<u>Location</u>	<u>Channel</u>
218	91.5	New(App) ¹⁰ KSUI	Kirksville, MO Iowa City, IA	218A 219C
219	91.7	KSUI	Iowa City, IA	219C
220	91.9	KSUI	Iowa City, IA	219C

Notes:

1 - This application (BPED-19961010MC) had an "A" cut-off date of March 27, 1997 and was included in MX Group 961011. Thus, it is protected from the filing of further conflicting applications.

2 - This application (BPED-19970321MB) was timely filed in response to the "A" cut-off notice for BPED-19961010MC and was included in MX Group 961011. Thus, it is protected from the filing of further conflicting applications.

3 - This application (BPED-19970108MI) had an "A" cut-off date of August 7, 1997 and was included in MX Group 970111. Thus, it is protected from the filing of further conflicting applications.

4 - This application (BPED-19970321MA) was timely filed in response to the "A" cut-off notice for BPED-19970108MI and was included in MX Group 970111. Thus, it is protected from the filing of further conflicting applications.

5 - This application (BPED-19941209MB) had an "A" cut-off date of May 24, 1995 and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

6 - This application (BPED-19950515ML) was timely filed in response to the "A" cut-off notice for BPED-19941209MB and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

7 - This application (BPED-19950213MB) was timely filed in response to the "A" cut-off notice for BPED-19941209MB and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

8 - This application (BPED-19960312MA) had an "A" cut-off date of August 22, 1996 and was included in MX Group 960315. Thus, it is protected from the filing of further conflicting applications.

TABLE 3.1 (cont'd)

9 - This application (BPED-19960820MC) was timely filed in response to the "A" cut-off notice for BPED-19960312MA and was included in MX Group 960315. Thus, it is protected from the filing of further conflicting applications.

10 - This application (BPED-19970113MB) had an "A" cut-off date of August 7, 1997 and was included in MX Group 970113. Thus, it is protected from the filing of further conflicting applications.

11 - This application (BPED-19990113MA) had an "A" cut-off date of May 10, 1999 and was included in MX Group 990101. Thus, it is protected from the filing of further conflicting applications.

12 - This application (BPED-19990428MD) was timely filed in response to the "A" cut-off notice for BPED-19990113MA and was included in MX Group 990101. Thus, it is protected from the filing of further conflicting applications.

13 - This application (BPED-19960805MA) had an "A" cut-off date of March 13, 1997 and was included in MX Group 960813. Thus, it is protected from the filing of further conflicting applications.

Studies assume operation with maximum Class C3 facilities from a location 38.0 kilometers north of the Keosauqua community reference coordinates:

NL - 41° 04' 20"

WL - 91° 57' 43"

TABLE 3.2
NCE-FM FREQUENCY SEARCH
(EAST SITE)

The University of Iowa
Keosauqua, IA

Channel	Frequency (MHz)	Use Precluded by:		Channel
		Call	Location	
201	88.1	New(App) ¹	Fairfield, IA	201A
		New(App) ²	Fairfield, IA	201A
202	88.3	New(App) ³	Ottumwa, IA	202A
		New(App) ⁴	Ottumwa, IA	202A
		WGCA-FM	Quincy, IL	203B
203	88.5	WGCA-FM	Quincy, IL	203B
204	88.7	WGCA-FM	Quincy, IL	203B
		KEWM(CP)	Williamsburg, IA	204A
		KLDI(CP)	Wapello, IA	205C2
205	88.9	KLDI(CP)	Wapello, IA	205C2
		New(App) ⁵	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
206	89.1	KLDI(CP)	Wapello, IA	205C2
		New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
		WDLM-FM	East Moline, IL	207C1
207	89.3	New(App) ⁵	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
		WDLM-FM	East Moline, IL	207C1
		WIPA	Pittsfield, IL	207B
		WIUW	Warsaw, IL	208B1
		KAYP	Burlington, IA	210C3
208	89.5	WDLM-FM	East Moline, IL	207C1
		WIUW	Warsaw, IL	208B1
		KAYP	Burlington, IA	210C3
209	89.7	WIUW	Warsaw, IL	208B1
		New(App) ⁵	Ottumwa, IA	209A
		KAYP	Burlington, IA	210C3
210	89.9	KAYP	Burlington, IA	210C3

TABLE 3.2 (cont'd)

<u>Channel</u>	<u>Frequency (MHz)</u>	<u>Use Precluded by:</u>		<u>Channel</u>
		<u>Call</u>	<u>Location</u>	
211	90.1	KAYP	Burlington, IA	210C3
		WOI-FM	Ames, IA	211C
		WQUB	Quincy, IL	212B
212	90.3	KAYP	Burlington, IA	210C3
		WQUB	Quincy, IL	212B
		WVIK	Rock island, IL	212C1
213	90.5	KAYP	Burlington, IA	210C3
		WQUB	Quincy, IL	212B
		KHOE	Fairfield, IA	213A
		KHGN	Kirksville, MO	214C2
214	90.7	KHGN	Kirksville, MO	214C2
		KMDY	Keokuk, IA	215A
215	90.9	KHGN	Kirksville, MO	214C2
		KUNI	Cedar Falls, IA	215C
		KMDY	Keokuk, IA	215A
216	91.1	KMDY	Keokuk, IA	215A
		New(App) ⁸	Ottumwa, IA	216A
		New(App) ⁹	Ottumwa, IA	216A
		New(App) ¹¹	Kewanee, IL	216B
		WIUM	Macomb, IL	217B
217	91.3	WIUM	Macomb, IL	217B
218	91.5	WIUM	Macomb, IL	217B
		New(App) ¹⁰	Kirksville, MO	218A
		KSUI	Iowa City, IA	219C
219	91.7	KSUI	Iowa City, IA	219C
		KJIR(CP)	Hannibal, MO	219C2
220	91.9	KSUI	Iowa City, IA	219C

Notes:

1 - This application (BPED-19961010MC) had an "A" cut-off date of March 27, 1997 and was included in MX Group 961011. Thus, it is protected from the filing of further conflicting applications.

TABLE 3.2 (cont'd)

2 - This application (BPED-19970321MB) was timely filed in response to the "A" cut-off notice for BPED-19961010MC and was included in MX Group 961011. Thus, it is protected from the filing of further conflicting applications.

3 - This application (BPED-19970108MI) had an "A" cut-off date of August 7, 1997 and was included in MX Group 970111. Thus, it is protected from the filing of further conflicting applications.

4 - This application (BPED-19970321MA) was timely filed in response to the "A" cut-off notice for BPED-19970108MI and was included in MX Group 970111. Thus, it is protected from the filing of further conflicting applications.

5 - This application (BPED-19941209MB) had an "A" cut-off date of May 24, 1995 and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

6 - This application (BPED-19950515ML) was timely filed in response to the "A" cut-off notice for BPED-19941209MB and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

7 - This application (BPED-19950213MB) was timely filed in response to the "A" cut-off notice for BPED-19941209MB and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

8 - This application (BPED-19960312MA) had an "A" cut-off date of August 22, 1996 and was included in MX Group 960315. Thus, it is protected from the filing of further conflicting applications.

9 - This application (BPED-19960820MC) was timely filed in response to the "A" cut-off notice for BPED-19960312MA and was included in MX Group 960315. Thus, it is protected from the filing of further conflicting applications.

10 - This application (BPED-19970113MB) had an "A" cut-off date of August 7, 1997 and was included in MX Group 970113. Thus, it is protected from the filing of further conflicting applications.

11 - This application (BPED-19960805MA) had an "A" cut-off date of March 13, 1997 and was included in MX Group 960813. Thus, it is protected from the filing of further conflicting applications.

Studies assume operation with maximum Class C3 facilities from a location 38.0 kilometers east of the Keosauqua community reference coordinates:

NL - 40° 43' 49"

WL - 91° 30' 49"

TABLE 3.3
NCE-FM FREQUENCY SEARCH
(SOUTH SITE)
The University of Iowa
Keosauqua, IA

<u>Channel</u>	<u>Frequency (MHz)</u>	<u>Use Precluded by:</u>		<u>Channel</u>
		<u>Call</u>	<u>Location</u>	
201	88.1	New(App) ¹	Fairfield, IA	201A
		New(App) ²	Fairfield, IA	201A
202	88.3	New(App) ³	Ottumwa, IA	202A
		New(App) ⁴	Ottumwa, IA	202A
		WGCA-FM	Quincy, IL	203B
203	88.5	WGCA-FM	Quincy, IL	203B
204	88.7	WGCA-FM	Quincy, IL	203B
		KEWM(CP)	Williamsburg, IA	204A
		KTRM	Kirksville, MO	204A
205	88.9	KLDI(CP)	Wapello, IA	205C2
		New(App) ⁷	Ottumwa, IA	206C3
206	89.1	New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
207	89.3	New(App) ⁷	Ottumwa, IA	206C3
		WDLN-FM	East Moline, IL	207C1
		WIPA	Pittsfield, IL	207B
208	89.5	WIUW	Warsaw, IL	208B1
		KKTR	Kirksville, MO	209A
209	89.7	WIUW	Warsaw, IL	208B1
		New(App) ⁵	Ottumwa, IA	209A
		KKTR	Kirksville, MO	209A
		KAYP	Burlington, IA	210C3
210	89.9	KKTR	Kirksville, MO	209A
		KAYP	Burlington, IA	210C3
211	90.1	KAYP	Burlington, IA	210C3
		WOI-FM	Ames, IA	211C
		WQUB	Quincy, IL	212B
		KHGN	Kirksville, MO	214C2

TABLE 3.3 (cont'd)

<u>Channel</u>	<u>Frequency (MHz)</u>	<u>Use Precluded by:</u>		<u>Channel</u>
		<u>Call</u>	<u>Location</u>	
212	90.3	WQUB	Quincy, IL	212B
		WVIK	Rock island, IL	212C1
		KHGN	Kirksville, MO	214C2
213	90.5	WQUB	Quincy, IL	212B
		KHGN	Kirksville, MO	214C2
214	90.7	KHGN	Kirksville, MO	214C2
		KMDY	Keokuk, IA	215A
215	90.9	KHGN	Kirksville, MO	214C2
		KUNI	Cedar Falls, IA	215C
		KMDY	Keokuk, IA	215A
216	91.1	KHGN	Kirksville, MO	214C2
		KMDY	Keokuk, IA	215A
		New(App) ⁸	Ottumwa, IA	216A
		New(App) ⁹	Ottumwa, IA	216A
		WIUM	Macomb, IL	217B
217	91.3	KHGN	Kirksville, MO	214C2
		WIUM	Macomb, IL	217B
		New(App) ¹⁰	Kirksville, MO	218A
218	91.5	WIUM	Macomb, IL	217B
		New(App) ¹⁰	Kirksville, MO	218A
		KSUI	Iowa City, IA	219C
219	91.7	New(App) ¹⁰	Kirksville, MO	218A
		KSUI	Iowa City, IA	219C
		KJIR	Hannibal, MO	219C3
220	91.9	KSUI	Iowa City, IA	219C
		New(App) ¹¹	Kirksville, MO	220A

Notes:

1 - This application (BPED-19961010MC) had an "A" cut-off date of March 27, 1997 and was included in MX Group 961011. Thus, it is protected from the filing of further conflicting applications.

2 - This application (BPED-19970321MB) was timely filed in response to the "A" cut-off notice for BPED-19961010MC and was included in MX Group 961011. Thus, it is protected from the filing of further conflicting applications.

TABLE 3.3 (cont'd)

3 - This application (BPED-19970108MI) had an "A" cut-off date of August 7, 1997 and was included in MX Group 970111. Thus, it is protected from the filing of further conflicting applications.

4 - This application (BPED-19970321MA) was timely filed in response to the "A" cut-off notice for BPED-19970108MI and was included in MX Group 970111. Thus, it is protected from the filing of further conflicting applications.

5 - This application (BPED-19941209MB) had an "A" cut-off date of May 24, 1995 and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

6 - This application (BPED-19950515ML) was timely filed in response to the "A" cut-off notice for BPED-19941209MB and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

7 - This application (BPED-19950213MB) was timely filed in response to the "A" cut-off notice for BPED-19941209MB and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

8 - This application (BPED-19960312MA) had an "A" cut-off date of August 22, 1996 and was included in MX Group 960315. Thus, it is protected from the filing of further conflicting applications.

9 - This application (BPED-19960820MC) was timely filed in response to the "A" cut-off notice for BPED-19960312MA and was included in MX Group 960315. Thus, it is protected from the filing of further conflicting applications.

10 - This application (BPED-19970113MB) had an "A" cut-off date of August 7, 1997 and was included in MX Group 970113. Thus, it is protected from the filing of further conflicting applications.

11 - This application (BPED-19970806MA) was timely filed in response to the "A" cut-off notice for BPED-19970113MB and was included in MX Group 970113. Thus, it is protected from the filing of further conflicting applications.

Studies assume operation with maximum Class C3 facilities from a location 38.0 kilometers south of the Keosauqua community reference coordinates:

NL - 41° 23' 16"

WL - 91° 57' 43"

TABLE 3.4

NCE-FM FREQUENCY SEARCH
(WEST SITE)

The University of Iowa
Keosauqua, IA

<u>Channel</u>	Frequency (MHz)	Use Precluded by:		<u>Channel</u>
		<u>Call</u>	<u>Location</u>	
201	88.1	New(App) ¹	Fairfield, IA	201A
		New(App) ²	Fairfield, IA	201A
202	88.3	New(App) ³	Ottumwa, IA	202A
		New(App) ⁴	Ottumwa, IA	202A
203	88.5	WGCA-FM	Quincy, IL	203B
		New(App) ⁷	Ottumwa, IA	206C3
204	88.7	KEWM(CP)	Williamsburg, IA	204A
		KTRM	Kirksville, MO	204A
		New(App) ⁷	Ottumwa, IA	206C3
205	88.9	KLDI(CP)	Wapello, IA	205C2
		New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
206	89.1	New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
207	89.3	New(App) ⁶	Fairfield, IA	206A
		New(App) ⁷	Ottumwa, IA	206C3
		WDLM-FM	East Moline, IL	207C1
		WIUW	Warsaw, IL	208B1
208	89.5	New(App) ⁷	Ottumwa, IA	206C3
		WIUW	Warsaw, IL	208B1
		New(App) ¹¹	Oskaloosa, IA	208A
		New(App) ¹²	Oskaloosa, IA	208A
209	89.7	New(App) ⁷	Ottumwa, IA	206C3
		WIUW	Warsaw, IL	208B1
		New(App) ⁵	Ottumwa, IA	209A
		KKTR	Kirksville, MO	209A
210	89.9	KAYP	Burlington, IA	210C3
		WOI-FM	Ames, IA	211C

TABLE 3.4 (cont'd)

Channel	Frequency (MHz)	Use Precluded by:		Channel
		Call	Location	
211	90.1	KAYP	Burlington, IA	210C3
		WOI-FM	Ames, IA	211C
		KHGN	Kirksville, MO	214C2
212	90.3	WOI-FM	Ames, IA	211C
		WQUB	Quincy, IL	212B
		WVIK	Rock island, IL	212C1
		KHGN	Kirksville, MO	214C2
213	90.5	KHOE	Fairfield, IA	213A
		KHGN	Kirksville, MO	214C2
214	90.7	KHGN	Kirksville, MO	214C2
215	90.9	KHGN	Kirksville, MO	214C2
		New(App) ⁸	Ottumwa, IA	216A
		New(App) ⁹	Ottumwa, IA	216A
216	91.1	KHGN	Kirksville, MO	214C2
		New(App) ⁸	Ottumwa, IA	216A
		New(App) ⁹	Ottumwa, IA	216A
217	91.3	KHGN	Kirksville, MO	214C2
		New(App) ⁸	Ottumwa, IA	216A
		New(App) ⁹	Ottumwa, IA	216A
		WIUM	Macomb, IL	217B
		KDFR	Des Moines, IA	217C2
		New(App) ¹⁰	Kirksville, MO	218A
218	91.5	New(App) ¹⁰	Kirksville, MO	218A
		KSUI	Iowa City, IA	219C
219	91.7	New(App) ¹⁰	Kirksville, MO	218A
		KSUI	Iowa City, IA	219C
		KJIR(CP)	Hannibal, MO	219C2
220	91.9	KSUI	Iowa City, IA	219C
		New(App) ¹³	Kirksville, MO	220A

Notes:

1 - This application (BPED-19961010MC) had an "A" cut-off date of March 27, 1997 and was included in MX Group 961011. Thus, it is protected from the filing of further conflicting applications.

TABLE 3.4 (cont'd)

2 - This application (BPED-19970321MB) was timely filed in response to the "A" cut-off notice for BPED-19961010MC and was included in MX Group 961011. Thus, it is protected from the filing of further conflicting applications.

3 - This application (BPED-19970108MI) had an "A" cut-off date of August 7, 1997 and was included in MX Group 970111. Thus, it is protected from the filing of further conflicting applications.

4 - This application (BPED-19970321MA) was timely filed in response to the "A" cut-off notice for BPED-19970108MI and was included in MX Group 970111. Thus, it is protected from the filing of further conflicting applications.

5 - This application (BPED-19941209MB) had an "A" cut-off date of May 24, 1995 and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

6 - This application (BPED-19950515ML) was timely filed in response to the "A" cut-off notice for BPED-19941209MB and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

7 - This application (BPED-19950213MB) was timely filed in response to the "A" cut-off notice for BPED-19941209MB and was included in MX Group 941231E. Thus, it is protected from the filing of further conflicting applications.

8 - This application (BPED-19960312MA) had an "A" cut-off date of August 22, 1996 and was included in MX Group 960315. Thus, it is protected from the filing of further conflicting applications.

9 - This application (BPED-19960820MC) was timely filed in response to the "A" cut-off notice for BPED-19960312MA and was included in MX Group 960315. Thus, it is protected from the filing of further conflicting applications.

10 - This application (BPED-19970113MB) had an "A" cut-off date of August 7, 1997 and was included in MX Group 970113. Thus, it is protected from the filing of further conflicting applications.

11 - This application (BPED-19990113MA) had an "A" cut-off date of May 10, 1999 and was included in MX Group 990101. Thus, it is protected from the filing of further conflicting applications.

12 - This application (BPED-19990428MD) was timely filed in response to the "A" cut-off notice for BPED-19990113MA and was included in MX Group 990101. Thus, it is protected from the filing of further conflicting applications.

TABLE 3.4 (cont'd)

13 - This application (BPED-19970806MA) was timely filed in response to the "A" cut-off notice for BPED-19970113MB and was included in MX Group 970113. Thus, it is protected from the filing of further conflicting applications

Studies assume operation with maximum Class C3 facilities from a location 38.0 kilometers west of the Keosauqua community reference coordinates:

NL - 40° 43' 49"

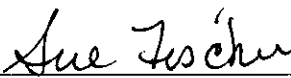
WL - 92° 24' 47"

CERTIFICATE OF SERVICE

I, Sue Fischer, hereby certify that the foregoing Petition for Rulemaking was served this 21st day of November, 2003, by first class United States mail, postage prepaid, upon the following:

Rolanda F. Smith
Audio Division
Room 2-B450 445
12th Street SW
Washington, D.C. 20554

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Sue Fischer